

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

KENNETH D. BELL,

Plaintiff,

v.

Case No: 5:20-mc-10-JSM-PRL

NATHANIEL WOODS,

Defendant.

ORDER

This matter is before the Court on the motion of Judgment Creditor, Nationwide Judgment Recovery Inc., for issuance of a writ of garnishment as to Cheney Brothers Inc. (“Garnishee”). (Doc. 43).

On August 14, 2017, the United States District Court for the Western District of North Carolina, Charlotte Division, entered a Final Judgment in favor of Plaintiff and against each individual member of a Defendant Class, including Defendant Nathaniel Woods. (Doc. 1).

On September 2, 2020 Judgment Creditor registered the judgment with this Court. (Doc. 1). Judgment Creditor states that the judgment remains unsatisfied and moves for the writ of garnishment and suggests that Garnishee, Cheney Brothers, Inc., is the employer of Judgment Debtor and is therefore in possession of salary or of wages belonging to Judgment Debtor which may be applied to the balance owed on the judgment. Pursuant to Fed. R. Civ. P. 69, the Court must follow state law regarding garnishment procedures. *See* Fed. R. Civ. P. 69. Chapter 77 of the Florida Statutes prescribes the procedure for issuance and enforcement of writs of garnishment.

Accordingly, upon due consideration, the motion for issuance of writ of garnishment (Doc. 43) is **GRANTED**, and the Clerk is directed to issue the Writ of Garnishment (including the Notice and Claim of Exemption) attached to the motion. Judgment Creditor must fully comply with all notice requirements of §77.041, Florida Statutes.

DONE and **ORDERED** in Ocala, Florida on February 25, 2022.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties